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By Email and ECF

November 27, 2016

The Honorable William H. Pauley, III
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: United States v. James Capers
S5 15 Cr. 607 (WHP)

Dear Judge Pauley:

On behalf of Mr. Capers, we respectfully request that Your Honor ask the following question to the potential jurors.

If you found that James Capers had shot and killed Allen McQueen, would such a finding prevent you from considering all the other elements of the crime of murder in aid of racketeering in reaching your verdict on that charge.

I apologize for the timing of this submission.

Respectfully submitted,

/s/Andrew Patel
Andrew G. Patel

cc: all counsel by ECF